

TITLE I GUIDANCE - USE OF NEUTRAL SPACE

NOTE: DESE advises that, prior to using this neutral space option, a school district should have their legal counsel review this guidance for compliance with Missouri's constitutional provisions.

Federal statutes authorizing the Title I program requires that local public school districts provide services on an equitable basis to children who attend private schools consistent with the number of eligible children (SEC. 1117. [20 U.S.C. 6320 (a) (1)]). Provision of services to these students may include part-time enrollment in the public school, provision of services during non-school hours at the public school site or provision of services at a neutral site. In public school districts in which eligible private school children have had difficulty accessing Title I services at the public school, district officials may wish to consider the neutral site or space option after consulting with the district's private attorney.

The purpose of this document is to provide guidance to public school districts should the district elect to provide services at a neutral site. A neutral site is generally defined as a site or space off school grounds leased by the district for the purpose of providing Title I services. Such sites may include a site or space within the private school building or other facility on the private school property, subject to the following criteria.

1. The neutral site or space shall be under the control of the public school district during those times in which services are provided or when public school staff is otherwise present at the site.
2. A district shall secure control of a neutral site or space within the private school building or other facility on the private school property by entering into a lease agreement with the private school whereby the site or space is controlled by the district on specified days during specified hours.
3. The content and all components of the Title I program and services shall be under the direct control of the public school district, including the assignment of those students receiving services at that site, including public school students from other attendance centers.
4. The neutral site or space shall be completely free of any religious artifacts or symbols (e.g., statues, pictures, crucifixes etc) during those times it is used for the provision of Title I services.
5. The neutral site or space should be identified as a separate program that may be accessed in a way that minimizes movement through other areas of the private school having a significant religious presence. Examples of acceptable access include:
 - a. The Title I classroom has a door leading directly to outside the private school building which allows the teachers and students to enter directly from outside into the Title I classroom.
 - b. The Title I classroom can be accessed without movement through areas of the private school building which have a significant religious presence, such as movement through hallways free of religious icons.
 - c. The Title I classroom is located in a building or center adjoining the private school building which is available for public use.
6. Title I services provided in neutral sites or spaces must comply with the requirements for those services provided in public schools, for example, the educational services and material used must be secular, neutral and nonideological (SEC. 1117. [20 U.S.C. 6320 (a) (2)]), and control of Title I funds and title to the material and equipment must be vested in the public school district. (SEC. 1117. [20 U.S.C. 6320 (d) (1)])